

115TH CONGRESS
2D SESSION

H. R. 4043

AN ACT

To amend the Inspector General Act of 1978 to reauthorize the whistleblower protection program, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Whistleblower Protec-
3 tion Extension Act of 2017”.

4 **SEC. 2. REAUTHORIZATION.**

5 (a) IN GENERAL.—Section 3(d) of the Inspector Gen-
6 eral Act of 1978 (5 U.S.C. App.) is amended—

7 (1) in paragraph (1)(C)—

8 (A) by redesignating clauses (i) and (ii) as
9 subclauses (I) and (II), respectively, and adjust-
10 ing the margins accordingly;

11 (B) by striking “Ombudsman who shall
12 educate agency employees—” and inserting the
13 following: “Coordinator who shall—

14 “(i) educate agency employees—”;

15 (C) in subclause (I), as so redesignated, by
16 striking “on retaliation” and inserting “against
17 retaliation”;

18 (D) in subclause (II), as so redesignated,
19 by striking the period at the end and inserting
20 the following: “, including—

21 “(aa) the means by which em-
22 ployees may seek review of any allega-
23 tion of reprisal, including the roles of
24 the Office of the Inspector General,
25 the Office of Special Counsel, the

1 Merit Systems Protection Board, and
2 any other relevant entities; and

3 “(bb) general information about
4 the timeliness of such cases, the avail-
5 ability of any alternative dispute
6 mechanisms, and avenues for poten-
7 tial relief;”; and

8 (E) by adding at the end the following:

9 “(ii) assist the Inspector General in pro-
10 moting the timely and appropriate handling and
11 consideration of protected disclosures and alle-
12 gations of reprisal, to the extent practicable, by
13 the Inspector General; and

14 “(iii) assist the Inspector General in facili-
15 tating communication and coordination with the
16 Special Counsel, the Council of the Inspectors
17 General on Integrity and Efficiency, the agency,
18 Congress, and any other relevant entity regard-
19 ing the timely and appropriate handling and
20 consideration of protected disclosures, allega-
21 tions of reprisal, and general matters regarding
22 the implementation and administration of whis-
23 tleblower protection laws, rules, and regula-
24 tions.”;

1 (2) in paragraph (2), by striking “Ombuds-
2 man” and inserting “Coordinator”;

3 (3) by redesignating paragraph (3) as para-
4 graph (4); and

5 (4) by inserting after paragraph (2) the fol-
6 lowing:

7 “(3) The Whistleblower Protection Coordinator shall
8 have direct access to the Inspector General as needed to
9 accomplish the requirements of this subsection.”.

10 (b) RESPONSIBILITIES OF CIGIE.—Section 11(c) of
11 the Inspector General Act of 1978 (5 U.S.C. App.) is
12 amended by adding at the end the following:

13 “(5) ADDITIONAL RESPONSIBILITIES RELATING
14 TO WHISTLEBLOWER PROTECTION.—The Council
15 shall—

16 “(A) facilitate the work of the Whistle-
17 blower Protection Coordinators designated
18 under section 3(d)(C); and

19 “(B) in consultation with the Office of
20 Special Counsel and Whistleblower Protection
21 Coordinators from the member offices of the In-
22 spector General, develop best practices for co-
23 ordination and communication in promoting the
24 timely and appropriate handling and consider-
25 ation of protected disclosures, allegations of re-

1 prisal, and general matters regarding the imple-
2 mentation and administration of whistleblower
3 protection laws, in accordance with Federal
4 law.”.

5 (c) REPORTING.—Section 5 of the Inspector General
6 Act of 1978 (5 U.S.C. App.) is amended—

7 (1) in subsection (a), by amending paragraph
8 (20) to read as follows:

9 “(20)(A) a detailed description of any instance
10 of whistleblower retaliation, including information
11 about the official found to have engaged in retalia-
12 tion; and

13 “(B) what, if any, consequences the establish-
14 ment actually imposed to hold the official described
15 in subparagraph (A) accountable;”; and

16 (2) in subsection (b)—

17 (A) in paragraph (3)(D), by striking
18 “and” at the end;

19 (B) by redesignating paragraph (4) as
20 paragraph (5); and

21 (C) by inserting after paragraph (3) the
22 following:

23 “(4) whether the establishment entered into a
24 settlement agreement with the official described in
25 subsection (a)(20)(A), which shall be reported re-

1 regardless of any confidentiality agreement relating to
2 the settlement agreement; and”.

3 (d) REPEAL OF SUNSET.—

4 (1) IN GENERAL.—Subsection (c) of section
5 117 of the Whistleblower Protection Enhancement
6 Act of 2012 (Public Law 112–199; 126 Stat. 1475)
7 is repealed.

8 (2) RETROACTIVE EFFECTIVE DATE.—The
9 amendment made by paragraph (1) shall take effect
10 on November 26, 2017.

 Passed the House of Representatives March 6,
2018.

Attest:

Clerk.

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